

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DELANO THOMAS KIPP,

Defendant.

**CR-14-04-GF-BMM**

**ORDER**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on January 8, 2021. (Doc. 86.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on January 5, 2021. (Doc. 82.) The United States accused Kipp of violating his conditions of supervised release 1) by committing another crime; and 2) by consuming alcohol. (Doc. 78.)

At the revocation hearing, Kipp admitted that he had violated the conditions of his supervised release by consuming alcohol. (Doc. 82.) Judge Johnston found

that the violation Kipp admitted proved to be serious and warranted revocation, and recommended that Kipp receive a custodial sentence of 7 months, with 13 months of supervised release to follow. Kipp was advised of the 14 day objection period and his right to allocute before the undersigned. (Doc. 82.)

The violation proves serious and warrants revocation of Kipp's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 86) are **ADOPTED IN FULL. IT IS FURTHER ORDERED** that Defendant Delano Thomas Kipp be sentenced to a period of custody of 7 months with 13 months of supervised release to follow.

DATED this 22nd day of January, 2021.

A handwritten signature in blue ink, reading "Brian Morris".

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Brian Morris, Chief District Judge  
United States District Court